

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

DESTINY MICHELLE ROSS ,

Plaintiff,

vs.

MARTIN O'MALLEY,
Commissioner of Social Security

Defendant.

Civil No. 1:24-cv-00008-SPW


ORDER

Based on the parties' Stipulated Motion to Remand (Doc. 8),

IT IS HEREBY ORDERED that the Commissioner's decision in regard to Plaintiff's applications for disability benefits be **REVERSED AND REMANDED** to the Commissioner of Social Security for a new hearing before an Administrative Law Judge (ALJ) and a new decision in regard to Plaintiff's applications for disability benefits. On remand, the ALJ will take any necessary action to complete the administrative record, offer Plaintiff a new hearing, re-evaluate the medical evidence of record, re-evaluate Plaintiff's RFC, continue through the sequential evaluation process, and issue a new decision.

This remand is made pursuant to sentence four of 42 U.S.C. § 405(g), and Plaintiff may be entitled to reasonable attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

DATED this 4th day of March, 2024.



SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE